REMARKS

Applicant respectfully requests reconsideration of the subject application in light of these remarks and the amendments detailed above. Claims 1, 2, 15, 19-21, 25, 36, 39, 48-49, 52, 55, and 57 have been amended without prejudice. As a result, claims 1-57 remain pending. The amendments to the claims have been made in an effort to expedite the prosecution of this matter, without limiting the scope of the invention, and only in an effort to impart precision to the claims (e.g., by more particularly pointing out the invention, rather than to avoid prior art). No new matter is believed to have been introduced hereby.

Objections

The disclosure is objected to because of the absence of "a" in line 20 of page 5. This objection has been addressed as detailed above by amending the appropriate paragraph to make this typographical change.

Claims 2, 19, 20, and 48 are objected to for various informalities. In response, these claims have been amended to make typographical changes. Accordingly, it is respectfully submitted that all outstanding objections are moot.

Claims 25-35

Claims 25 and 27 stand rejected under 35 U.S.C. §102(b) over Nicolai et al. (U.S. Patent No. 4,188,580, hereinafter "Nicolai"). Claims 26, 29, and 32-35 are rejected under 35 U.S.C. §103(a) over Nicolai in view of the Microsoft Press Computer Dictionary, 3rd ed. Claim 28 is rejected under 35 U.S.C. §103(a) over Nicolai in view of Hogan (U.S. Patent No. 6,047,069, hereinafter "Hogan"). Claim 30 is rejected under 35 U.S.C. §103(a) over Nicolai in view of Marzahn (U.S. Patent

No. 6,526,145, hereinafter "Marzahn"). Claim 31 stands rejected under 35 U.S.C. §103(a) over Nicolai in view of Schneier (Applied Cryptography).

As amended, claim 25, in part, recites "passing the second key on a separate channel from the scrambled content." Nicolai fails to teach or disclose the claimed combination of features such as set forth in the amended claim 25. For example, Nicolai appears to utilize a same channel for its communication (see, e.g., item 39 of Fig. 1). Accordingly, claim 25 is distinguishable over the cited art and is in condition for allowance.

Claims 26-32 which stand rejected under 35 U.S.C. §103(a) over Nicolai in view of other cited references (as detailed above) depend from claim 25 and should be allowable for similar reasons, or for the additional or alternative elements that are recited therein but not shown in the cited prior art. More particularly, Microsoft Press Computer Dictionary, 3rd ed., is cited for the definition of amplitude modulation, Hogan is cited for scrambling and descrambling content respectively after and before processing, Marzahn is cited for driver encryption, and Schneier is cited for key-encryption keys. These other references, however, fail to add any teachings to Nicolai that would together teach or suggest passing the second key on a separate channel from the scrambled content.

Claims 52-54

Claim 52 stands rejected under 35 U.S.C. §102(e) over Shepard (U.S. Patent No. 6,598,164, hereinafter "Shepard"). Claims 53 and 54 are rejected under 35 U.S.C. §103(a) over Shepard in view of Nicolai and the Microsoft Press Computer Dictionary, 3rd ed.

Claim 52, as amended, partly recites "processing the scrambled content to modify the scrambled content." Shepard fails to teach or disclose the claimed combination of features such as set forth in the amended claim 52. Moreover, as the outstanding Office Action correctly states, Shepard appears to merely transfer its data (see, e.g., paragraph 6 of page 3), which is distinguishable from the claimed processing act. Accordingly, it is respectfully submitted that claim 52 is condition for allowance.

Claims 53 and 54 depend from claim 52 and should be allowable for similar reasons, or for the additional or alternative elements that are recited therein but not shown in the cited prior art. More particularly, Microsoft Press Computer Dictionary, 3rd ed., and Nicolai are cited for a system that scrambles data by adding periodic tones modulated by a first key and a pseudo-random signal based on both the first key and a second key. These additional references, however, fail to add any teachings to Shepard that would together teach or suggest processing the scrambled content to modify the scrambled content.

Claims 1-14

Claims 1, 2, 5, 8, 10, and 14 stand rejected under 35 U.S.C. §103(a) over applicant's admitted prior art in view of Hogan (U.S. Patent No. 6,047,069, hereinafter "Hogan"). Claim 3 is rejected under 35 U.S.C. §103(a) over applicant's admitted prior art in view of Hogan, and further in view of Schneier. Claim 4 is rejected under 35 U.S.C. §103(a) over applicant's admitted prior art in view of Hogan, and further in view of Nystrom et al. (U.S. Patent No. 6,526,091, hereinafter "Nystrom"). Claim 6 is rejected under 35 U.S.C. §103(a) over applicant's admitted prior art in view of Hogan, and further in view of Bae (U.S. Patent No. 5,991,416,

hereinafter "Bae"). Claim 7 stands rejected under 35 U.S.C. §103(a) over applicant's admitted prior art in view of Hogan, and further in view of Marzahn. Claims 4, 9, and 11-13 are rejected under 35 U.S.C. §103(a) over applicant's admitted prior art in view of Hogan, and further in view of Nicolai.

The amended claim 1, in part, recites that "the processing tools modify the scrambled content." Hogan is cited for teaching processing date while it is encrypted. Hogan, however, only performs error correction (see, e.g., Fig. 7 and lines 7-30 of column 5) which does not necessarily modify any of Hogan's data prior to unscrambling (such as claimed in part by claim 1). The other cited references also fail to supplement Hogan to teach or suggest the processing tools modifying the scrambled content. Accordingly, the cited references, alone or in combination, fails to teach, disclose, or suggest the claimed combination of features such as set forth in the amended claim 1. Hence, claim 1 is condition for allowance.

Claims 2-14 depend from claim 1 and should be allowable for similar reasons, or for the additional or alternative elements that are recited therein but not shown in the cited prior art.

Claims 15-20

Claims 15-17 stand rejected under 35 U.S.C. §103(a) over Nicolai in view of the Microsoft Press Computer Dictionary, 3rd ed. Claim 18 is rejected under 35 U.S.C. §103(a) over Nicolai in view of the Microsoft Press Computer Dictionary, 3rd ed. as applied to claim 15 and further in view of Schneier.

Claim 15, as amended, partially recites that the second key is "provided on a separate channel from the first key." As discussed above with reference to claim 25 for example, Nicolai only utilizes a same channel. Moreover, Microsoft Press

Computer Dictionary, 3rd ed., is cited for the definition of amplitude modulation. This additional reference, however, fails to add any teachings to Nicolai that would together teach or suggest providing the second key on a separate channel from the first key. Accordingly, the combination of the cited references fails to teach, disclose, or suggest the claimed combination of features such as set forth in the amended claim 15. Hence, it is respectfully submitted that claim 15 is condition for allowance.

Claims 16-18 depend from claim 15 and should be allowable for similar reasons, or for the additional or alternative elements that are recited therein but not shown in the cited prior art. More particularly with respect to claim 18, Schneier is cited for teaching key-encryption keys which does not add any teachings to the other cited references that would together teach or suggest providing the second key on a separate channel form the first key.

Additionally, claims 19 and 20 have been amended to include similar recitations as claim 15. Accordingly, claims 19-20 should be allowable for similar reasons, or for the additional or alternative elements that are recited therein but not shown in the cited prior art.

Claims 21-24 and 55-57

Claims 21-24 and 55-57 stand rejected under 35 U.S.C. §103(a) over Nicolai in view of the Microsoft Press Computer Dictionary, 3rd ed.

Without limiting the scope of the invention and only in an effort to impart precision to the claims (e.g., by more particularly pointing out the invention, rather than to avoid prior art), claim 21 has been amended to, in part, recite that the second key is "provided on a separate channel from the first key." As discussed above with reference to claim 15 for example, Nicolai only utilizes a same channel.

Furthermore, Microsoft Press Computer Dictionary, 3rd ed., is cited for the definition of amplitude modulation. This additional reference, however, fails to add any teachings to Nicolai that would together teach or suggest providing the second key on a separate channel from the first key. Accordingly, the combination of the cited references fails to teach, disclose, or suggest the claimed combination of features such as set forth in the amended claim 21. Hence, claim 21 is condition for allowance.

Claims 22-24 depend from claim 21 and should be allowable for similar reasons, or for the additional or alternative elements that are recited therein but not shown in the cited prior art.

As detailed above, similar amendments (as with claim 21) have been made to claims 55 and 57. Consequently, claims 55 and 57 should also be in condition for allowance for at least similar reasons, or for the additional or alternative elements that are recited therein but not shown in the cited prior art. Also, claim 56 which depends from claim 55 should be allowable for similar reasons, or for the additional or alternative elements that are recited therein but not shown in the cited prior art.

Claims 36-51

Claims 36, 39-41, 43-44, and 48-51 are rejected under 35 U.S.C. §103(a) over Nicolai and Hogan in view Schneier. Claims 37, 38, and 47 are rejected under 35 U.S.C. §103(a) over Nicolai, Hogan, and Schneier, and further in view of applicant's admitted prior art and Marzahn. Claim 42 is rejected under 35 U.S.C. §103(a) over Nicolai and Hogan in view Bae. Claims 45 and 46 stand rejected under 35 U.S.C. §103(a) over Nicolai, Hogan, and Schneier in view Microsoft Press Computer Dictionary, 3rd ed.

As detailed above, the independent claims 36, 39, and 49 (as amended), in part, recite that "the processing modifies the scrambled content." As discussed above with reference to claim 1 for example, Hogan, however, only performs error correction (which does not modify Hogan's data). The other cited references are cited for various other teaching but fail to add any teachings that would in combination teach or suggest that the processing modifies the scrambled content. Accordingly, the combination of the cited references fails to teach, disclose, or suggest the claimed combination of features such as set forth in the amended claims 36, 39, and 49. Hence, claims 36, 39, and 49 are condition for allowance.

Claims 37-38, 40-47, and 50-51 respectively depend from claims 36, 39, and 49, and should be allowable for similar reasons, or for the additional or alternative elements that are recited therein but not shown in the cited prior art.

Additionally, claim 48 has been amended to include similar recitations as claim 39. Accordingly, claim 48 should be allowable for similar reasons, or for the additional or alternative elements that are recited therein but not shown in the cited prior art.
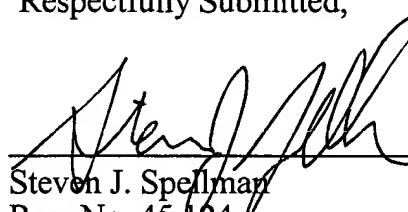
Conclusion

Reconsideration and allowance of all claims is respectfully requested. The Examiner is urged to telephone the undersigned if that would expedite prosecution of the application.

Respectfully Submitted,

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